

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FCS ADVISORS, LLC,

Plaintiff,

-against-

THEIA GROUP, INC., d/b/a “THORIAN
GROUP” and/or “CYPHERIAN”; THEIA
AVIATION, LLC; and THEIA HOLDINGS A,
INC., d/b/a “THORIAN HOLDINGS,”

Defendants.

21 Civ. 6995 (PKC)

**DECLARATION OF THOMAS (MITCH) DOCKENS
IN SUPPORT OF COGNISPHERE LLC’S MOTION TO COMPEL
BASLER TURBO CONVERSIONS, L.L.C. TO COMPLY WITH COURT ORDER**

I, Thomas (Mitch) Dockens, hereby declare as follows:

1. I submit this declaration in support of CogniSphere, LLC’s (“CogniSphere”) motion to compel Basler Turbo Conversions, L.L.C. (“Basler”) to comply with the Court’s June 11, 2024 order.

2. Except as otherwise noted, I have personal knowledge of the matters set forth herein, and, if called upon, could and would competently testify thereto under oath.

3. I am a retired U.S. Army Aviation Colonel with over twenty years’ experience in domestic and international aviation operations. I provide consulting services regarding, among other things, Federal Aviation Administration policies and regulations. Before starting my own consulting practice, I was a Senior Vice President at IOMAX USA Inc. My role there involved overseeing aviation operations, including FAA compliance. Before that, I served in the U.S. Army at the Company, Battalion and Brigade level, which included overseeing U.S. Military Aviation

Depot Service Operations with 3,500 employees and a \$689 million dollar budget. I was also previously employed by Theia Group, Inc., as Vice President for Aviation Operations.

4. I have been retained to provide aviation consulting services for CogniSphere. After performing industry-standard due diligence—with which Basler initially refused to cooperate—I discovered that Basler had failed to obtain from the Federal Aviation Administration a valid FAA Airworthiness Certificate.

5. A valid FAA Airworthiness Certificate is critical to the value of any aircraft. Under Federal Aviation Regulations, aircraft that is experimental—rather than airworthy—can be used for only limited purposes, such as research and development, test flights and crew training, or air racing. *See* 14 CFR § 21.191. No other operations are permitted. These limitations prevent the operator from conducting any meaningful commercial operations and significantly reduce the value of the aircraft.

6. To the best of my knowledge and belief, Basler has still yet to obtain a valid FAA Airworthiness Certificate to date.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 25, 2024

Denver, North Carolina

/s/ Thomas (Mitch) Dockens
Thomas (Mitch) Dockens